

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MATTHEW HARBERT,

Defendant.

CASE NO. CR17-0310-JCC

ORDER

This matter comes before the Court on the Government's motion for entry of a final order of forfeiture (Dkt. No. 43). The Government seeks forfeiture to the United States as to the following property:

1. Dell Laptop #8842982654;
2. Alcatel cellular telephone;
3. ZTE-Qlink cellular telephone;
4. Toshiba external hard drive #MK8034GSX;
5. External hard drive #EX1SA1YSKG;
6. Targus USB drive #1009007005;
7. Two unlabeled USB drives;
8. External hard drive #8SSH20D77046W2MP53AET42; and
9. Three Sandisks.

1           The Court, having considered the Government's motion and the relevant record, hereby  
2 FINDS that entry of a final order of forfeiture is appropriate for the following reasons:

- 3           1. On December 6, 2017, Defendant was charged by indictment with one count of  
4           possession of child pornography in violation of 18 U.S.C. §§ 2252(a)(4) and 2252(b)(2),  
5           (Dkt. No. 10 at 1–2);
- 6           2. On October 29, 2018, Defendant pled guilty to the charged offense of possession of child  
7           pornography, (Dkt. No. 24);
- 8           3. On May 21, 2019, the Court entered a preliminary order of forfeiture finding the above-  
9           listed property forfeitable pursuant to 18 U.S.C. § 2253(a) and forfeiting Defendant's  
10          interest in it, (Dkt. No. 37);
- 11          4. Thereafter, the United States published notice of the pending forfeiture as required by 21  
12          U.S.C. § 853(n)(1) and Federal Rule of Criminal Procedure 32.2(b)(6)(C), (Dkt. No. 42),  
13          and also attempted to provide notice to a potential claimant as required by Federal Rule  
14          of Criminal Procedure 32.2(b)(b)(A), which was returned as undeliverable, (Dkt. No. 43-  
15          1 at 1–2, 4–6); and
- 16          5. The time for filing third-party petitions has expired, and none were filed.

17          Given the Court's findings, the Court hereby GRANTS the motion (Dkt. No. 43) and  
18 ORDERS that:

- 19          1. No right, title, or interest in the above-listed property exists in any party other than the  
20          United States;
- 21          2. The above-listed property is fully and finally condemned and forfeited, in its entirety, to  
22          the United States; and
- 23          3. The United States Department of Homeland Security, and/or its representatives, are  
24          authorized to dispose of the property in accordance with the law.

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1 DATED this 30th day of December 2019.

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5 John C. Coughenour  
6 UNITED STATES DISTRICT JUDGE  
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